Council of the European Union
General Secretariat

Brussels, 23 October 2024

CM 4638/24

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COMMUNICATION

WRITTEN PROCEDURE

Contact:	ecomp1a.ecpol@consilium.europa.eu
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Subject:	Regulation of the European Parliament and of the Council establishing the Ukraine Loan Cooperation Mechanism and providing exceptional macro-financial assistance to Ukraine (first reading) **Outcome of the written procedure initiated by CM 4637/24** • **Adoption of the legislative act** • **Derogation from the eight-week period referred to in the first subparagraph of Article 3(3) of the Council's Rules of Procedure** **= END of written procedure**

Delegations are informed that the written procedure, opened by CM 04637/24 of 23 October 2024 was completed on 23 October 2024 at 16:05 and that:

1. All delegations voted in favour of, except for Malta and Hungary that abstained, the adoption of the Regulation of the European Parliament and of the Council establishing the Ukraine Loan Cooperation Mechanism and providing exceptional macro-financial assistance to Ukraine, as set out in PE-CONS 96/24;

   The required qualified majority has been reached. Therefore, the above act is adopted.

2. All delegations voted in favour of, except for Hungary that abstained, the derogation, on the basis of the second subparagraph of Article 3(3) of the Council's Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article;

   The required qualified majority has been reached. Therefore, the Council agreed to derogate, on the basis of the second subparagraph of Article 3(3) of the Council's Rules of Procedure, from the eight-week period referred to in the first subparagraph of that Article.

The statements made by Malta and Austria at Coreper on 9 October concerning the Regulation of the European Parliament and of the Council establishing the Ukraine Loan Cooperation Mechanism and providing exceptional macro-financial assistance to Ukraine (PE-CONS 96/24) are set out in document ST 14085/24 ADD 1 REV 1. The statements made by Malta and Austria during the written procedure are reproduced in the Annex to this CM.

The above statement(s) will be included in the summary of the acts adopted by written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Annex

STATEMENT BY THE REPUBLIC OF MALTA ON THE REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING THE UKRAINE LOAN COOPERATION MECHANISM AND PROVIDING EXCEPTIONAL MACRO-FINANCIAL ASSISTANCE TO UKRAINE

Malta is unable to join the consensus and is abstaining from the vote pertaining to the legislation in caption, as it believes that the European Council Conclusions of 27 June 2024, on Russia's immobilised assets and military support and the EU security commitments have not been reflected accurately in this proposal. Paragraphs 4 and 5 of the said Conclusions must be read and construed in light of paragraph 6 thereof, namely that military support and EU security commitments shall be provided in full respect of the security and defence policy of certain Member States and taking into account the security and defence interests of all Member States.

Statement by Austria

The proposals do not prejudice the specific character of Austria's security and defense policy. Austria recalls that according to Art. 41 TEU, expenditure with military or defense policy implications shall not be directly financed from the EU budget. As in the past, Austria will not participate in the financing of weapons and ammunition and will continue to constructively abstain from any such decisions.